

## EXHIBIT "1"

**RE: URGENT: Maverick Gaming v. United States**

Shelfer, Lochlan F. <LShelfer@gibsondunn.com>

Mon 8/1/2022 3:11 PM

To: scottcrowell clotag.net <scottcrowell@clotag.net>

Cc: Olson, Theodore B. <TOlson@gibsondunn.com>; McGill, Matthew D. <MMcGill@gibsondunn.com>; tom@brennanlegalpllc.com <tom@brennanlegalpllc.com>; lael@mthirtysixpllc.com <lael@mthirtysixpllc.com>

Counsel,

Thank you for your follow-up email. Maverick opposes the contemplated motion for relief from deadlines. Additionally, counsel for Maverick are not available for a telephonic conference this week.

Please do not hesitate to reach out with any questions,

Lochlan

**Lochlan Shelfer**

## GIBSON DUNN

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**From:** scottcrowell clotag.net <scottcrowell@clotag.net>

**Sent:** Monday, August 1, 2022 1:00 PM

**To:** Shelfer, Lochlan F. <LShelfer@gibsondunn.com>

**Cc:** Olson, Theodore B. <TOlson@gibsondunn.com>; McGill, Matthew D. <MMcGill@gibsondunn.com>; tom@brennanlegalpllc.com; lael@mthirtysixpllc.com

**Subject:** Re: URGENT: Maverick Gaming v. United States

**[WARNING: External Email]**

Counsel for Maverick Gaming,

I spoke with Lochlan Shelfer Friday afternoon (thank you for the prompt response) during which he indicated that Maverick will oppose all proposed motions (motion to stay, motion for limited intervention and motion to dismiss). I am not asking that you revisit opposing the motions for limited intervention and dismissal. I expected such opposition.

Upon further thought and review, however, what I had proposed as a motion for stay, is more accurately a motion for relief from deadlines, which is provided by

LR 7(D)(2)(a), which is noticed for the 2<sup>nd</sup> Friday, August 12, rather than the 3<sup>rd</sup> Friday, August 19. So, we are writing to inform you of that change and to meet and confer on such a motion.

This approach, however, creates a potential situation wherein Maverick will have filed its motion for summary judgment and the briefing schedule thereafter is stayed pending resolution of the Tribe's motion. Accordingly, we ask you to consider/reconsider the Tribe's motion for relief from deadlines. Under the circumstances, we believe a telephonic motion with the Court today or tomorrow pursuant to Local Rule 7(i) is appropriate and allows such a situation to be avoided. Such telephonic hearings require the participation of all counsel, so the Tribe will not seek one unless you concur with this approach.

Please advise. If we do not hear from you otherwise, we will proceed to file this week the motion for relief from deadline together with the Rule 24 Motion for Limited Intervention to which the proposed Rule 19 Motion to Dismiss will be attached.

*Scott Crowell*  
*Crowell Law Office Tribal Advocacy Group PLLC*  
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*Sedona, Arizona 86336*  
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**From:** Shelfer, Lochlan F. <[LShelfer@gibsondunn.com](mailto:LShelfer@gibsondunn.com)>  
**Sent:** Friday, July 29, 2022 12:16 PM  
**To:** scottcrowell clotag.net <[scottcrowell@clotag.net](mailto:scottcrowell@clotag.net)>  
**Cc:** Olson, Theodore B. <[TOlson@gibsondunn.com](mailto:TOlson@gibsondunn.com)>; McGill, Matthew D. <[MMcGill@gibsondunn.com](mailto:MMcGill@gibsondunn.com)>; [tom@brennanlegalpllc.com](mailto:tom@brennanlegalpllc.com) <[tom@brennanlegalpllc.com](mailto:tom@brennanlegalpllc.com)>; [lael@mthirtysixpllc.com](mailto:lael@mthirtysixpllc.com) <[lael@mthirtysixpllc.com](mailto:lael@mthirtysixpllc.com)>  
**Subject:** Re: URGENT: Maverick Gaming v. United States

Hello, I will call you shortly.

Thank you,

Lochlan Shelfer

Lochlan Shelfer

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On Jul 29, 2022, at 3:13 PM, scottcrowell clotag.net <[scottcrowell@clotag.net](mailto:scottcrowell@clotag.net)> wrote:

**[WARNING: External Email]**

I left voice mail messages with Mr. Olsen and Mr. Brennan, but not being able to connect, I am reaching out to you by email, as well.

Lael Echo-Hawk and I represent the Shoalwater Bay Indian Tribe. The Tribe, specially appearing and preserving its sovereign immunity from unconsented lawsuits will be seeking limited intervention pursuant to FRCP 24 for the sole purpose of filing a motion to dismiss pursuant to FRCP 12(b)(7) and FRCP 19. We will also be seeking to stay the litigation, including staying the briefing schedule in effect.

We request having a brief call to meet and confer on these matters and otherwise discuss the litigation.

Most pressing as to your own schedules, ours and the Court's, we seek your concurrence or non-opposition to the motion to stay. We believe the named parties, including Maverick, should not be obligated to brief the merits of Maverick's claims without first knowing whether the Court rules that the litigation can proceed in the Tribe's absence.

We expect that you would oppose the motion to dismiss, but want to confirm that. We request, however, that you do concur or not oppose the motion for

limited intervention, allowing the litigation to proceed to resolve the Court's jurisdiction to hear the case in the Tribe's absence.

I am available until 130PM pacific today, and anytime over the weekend or Monday, to discuss.

*Scott Crowell*  
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